

**STATE OF COLORADO
DIVISION OF ADMINISTRATIVE HEARINGS**

**ELECTION TO ENGAGE IN
ALTERNATIVE DISPUTE RESOLUTION
(MEDIATION)**

CASE NAME: _____

CASE NUMBER (if applicable): _____

The Division of Administrative Hearings encourages parties to use alternative methods of dispute resolution and offers to the parties the opportunity to engage in mediation.

Mediation is a process in which a neutral third party meets with the parties to a dispute to assist them in reaching a negotiated settlement. If the parties are able to reach an agreement in this way, they will control the outcome of an administrative case by agreeing to a solution, rather than having a solution imposed upon them by an administrative law judge or other decision-maker after a hearing.

In mediation, the mediator facilitates communication between the parties in a private, confidential and informal meeting. If a party has an attorney, the attorney will participate. The mediator has no decision-making authority; no settlement or solution to the dispute will be achieved unless both parties are in agreement. A mediator can often help the parties generate creative options to resolve the disciplinary case, even though those options would not be available if the case proceeded to a hearing before an administrative law judge or other decision-maker. Mediators may be able to assist the parties in reaching a settlement even when the parties' prior, unassisted negotiations have failed to result in an agreement.

If both parties agree to mediate a dispute they may notify the Division of Administrative Hearings, which will assign an administrative law judge or other qualified mediator to conduct the mediation. A mediator acts in a completely confidential manner and has no contact with the judge to whom a case may be assigned for hearing.

The parties should indicate whether they wish to engage in mediation by completing the information on the reverse side of this form.

ELECTION TO MEDIATE

The party identified below believes that mediation of this dispute is appropriate and elects to engage in mediation at the Division of Administrative Hearings.

Name of Party (Print or Type)

(Signature of Party, Attorney or Representative)

(Date)

ELECTION TO MEDIATE

The party identified below believes that mediation of this dispute is appropriate and elects to engage in mediation at the Division of Administrative Hearings.

Name of Party (Print or Type)

(Signature of Party, Attorney or Representative)

(Date)